

DATE 3/13/11  
HB 18

Amendments to House Bill No. 18  
3rd Reading Copy

Requested by Senator Anders Blewett

For the Senate Judiciary Committee

Prepared by Julianne Burkhardt  
March 18, 2011 (7:58am)

1. Title, page 1, line 6.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "41-5-206"

Insert: "AND 45-5-106"

2. Page 3, line 17.

Insert: "Section 2. Section 45-5-106, MCA, is amended to read:

"45-5-106. Vehicular homicide while under influence. (1) A person commits the offense of vehicular homicide while under the influence if the person negligently causes the death of another human being while the person is operating a vehicle in violation of 61-8-401 or 61-8-406.

(2) Vehicular homicide while under the influence is not an included offense of deliberate homicide as described in 45-5-102(1)(b).

(3) (a) A person ~~An adult~~, as defined in 41-5-103, who is convicted of vehicular homicide while under the influence shall be imprisoned in a state prison for a term not to exceed 30 years or be fined an amount not to exceed \$50,000, or both. Imposition of a sentence may not be deferred.

(b) A youth, as defined in 41-5-103, against whom an information is filed in district court according to the procedure provided in 41-5-206 and who is convicted in district court of vehicular homicide while under the influence shall be imprisoned for a term not to exceed 10 years or be fined an amount not to exceed \$25,000, or both. The court shall sentence the youth according to the provisions of 41-5-206(6)."

{Internal References to 45-5-106:

61-8-714x      61-8-722x      61-8-731x      61-8-731x }"

- END -